

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No. 8:05CR153  
vs. )  
CECILIO RODRIGUEZ-MARTINEZ, )  
Defendant. ) DETENTION ORDER

This matter came before the court on May 10, 2005 to address the issue of detention and the defendant's proposed release to a third-party custodian. Hearing was held, evidence adduced, and the court took the matter under advisement and directed Pretrial Services to investigate the proposed third-party custodian.

On May 12, 2005 Pretrial Services informed the court, by written Memorandum, that the proposed third-party custodian had withdrawn her offer to have the defendant live in her residence. Therefore, based upon the information before the court, I find at this time the defendant to be both a flight risk and a danger and that no single condition of release or combinations of conditions of release will mitigate those circumstances.

**IT IS ORDERED:**

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
2. The defendant be afforded reasonable opportunity for private consultation with counsel; and

3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 13<sup>th</sup> day of May 2005.

BY THE COURT:

S/ F.A. Gossett  
United States Magistrate Judge